

MINUTES  
BOROUGH OF SOUTHMONT  
September 20, 2004 7:00 p.m.

The scheduled September Council meeting was called to order by President Pile at 7:00 p.m. After the pledge to the flag, the September 20, 2004 meeting of Council convened.

**PRESENT:** President Pile, Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Strittmatter, Mr. Danyluk, Mr. Krupa, Mayor: Gerry Sloat, Engineer: Tom Gray, West Hills Police: Sergeant George Musulin, Fire Chief: Chet Borosky, Solicitor: Daniel R. Lovette, Street Commissioner: Jan Bosley, Borough Manager: Loretta Spak and Zoning Officer: Dyke Orms,

**ABSENT:** West Hills Police: Chief Andy Havas

**VISITORS:** None

President Pile asked for approval of the revised August 16, 2004 Council Minutes and the Committee Meeting Notes of the September 14, 2004. A motion was made by Mr. Krupa to accept the Minutes and Notes as submitted. Seconded by Mr. Strittmatter. All in favor, motion carried.

**POLICE CHIEF'S REPORT:**

West Hill Police report records revenue for July in the amount of \$40.17 and for August in the amount of \$215.22. Sergeant Musulin noted West Hills Police's request for a \$22,000 grant was approved; these funds will be used for new portable radios and other specialized equipment for the officers. West Hills Police also received approval of a \$5,000 grant to be used for the purchase of a new police cruiser.

**ZONING OFFICERS REPORT**

Mr. Orm's report records activity as of 9/15/04; fifty (50) permits and a total construction of \$165,605. Mr. Danyluk mentioned the letter from Mr. Alkire, 95 Thoburn Street, on his concerns regarding the landfill at 93 Thoburn Street. Mr. Bosley has been monitoring during past heavy rains, no runoff problems from filling at 93 Thoburn Street. Mr. Strittmatter suggested a copy of the approved zoning permit, approved site plans and letter be hand delivered to Mr. Alkire; Ms. Spak will gather information and put letter together, Mr. Bosley will deliver. Mr. Bosley has informed Mr. Jedrzejek, 93 Thoburn St., that no more blacktop material shall be used as fill-in.

**FIRE COMPANY REPORT**

Chief Borosky's written report records that there were 13 responses during the month of August. There were no calls between the hours of 10 PM to 7 AM. Most of the activity on report was weather related. Chief Borosky mentioned that the response time for utility service problems i.e. Penelec is very bad; he had many upset residents calling the Fire Company. Before the residents/fire company had a local number to call for assistance but now the number is out of state. Mr. Strittmatter suggested the fire company call the PUC and file a complaint. If more complaints are received, the utility companies are forced to act.

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Moving the Jubilee to the August date did not help, the Jubilee did not do well this year. Chief Borosky is still waiting for final figures. When figures are received the fire company will discuss future plans for fund-raising. Mr. Borosky, as a resident, expressed his concerns that Southmont Fire Co. is not being called for response for events at the Westmont Hilltop Middle School. President Pile will mention the concern to school board members. President Pile would like to see the fire company shed at Diamond be painted early next spring. Mr. Bosley will look into paint that will adhere to galvanized steel. Mr. Danyluk mentioned there is a lower electric rate for the utilities of a volunteer fire company building; Ms. Spak will check if the Municipal building is paying the lower rate. The Hilltop Ambulance report was received and on file.

ENGINEER'S REPORT

Mr. Gray reported the 2004 paving repair done by Quaker Sales to correct the driveway at 106 Helen Street, Mrs. Custer, has been completed; Mr. Bosley stated repair has been working, Mrs. Custer is satisfied. Mr. Gray will be working on and forwarding the completion of 2004 paving paperwork to PennDot. Mr. Gray is working on the NPDES Storm Water permitting second year information on mapping and monitoring. Need to monitor 25% of the out flows per year, are finding some with substantial flowing, coordinating with DEP for guidelines. Mr. Gray is working on getting the Southmont webpage to link to NPDES to show our intentions for public awareness, also looking into alternate sites for flow meters to isolate problems in the Borough. Southmont Borough's DEP NPDES representative is Tim Brett, who is located in Pittsburgh. He represents the western half of Pennsylvania. Since this is a new program there has been some confusion on what out flows should be monitored. Now the Borough system related out flows need to be checked i.e. dye testing. Mr. Krupa mentioned his concern that on project walk thru the Street Commissioner or Borough Manager should be present and sign necessary forms.

COMMITTEE REPORTS

STREET COMMISSIONERS REPORT

Received Mr. Bosley's written report. Cheney Run's annual maintenance inspection went very well; Southmont received a "thank you" for maintaining a very nice project. Mr. Bosley received approval from Mr. Krupa, Shade Tree Commissioner, to trim the lower branches from trees on Violet Street, right hand side of Harshberger to Queen, State St. and Leila Street following trimming guidelines. Mr. Kenney's, 146 State Street, written request for handicap parking was discussed; Council will be waiting for handicap placards to be received before going further with request. Council will be driving by and monitoring the parking in the area of Mr. Kenney's residence. Mr. Strittmatter made a motion to do a resolution to change the fee sheet on the opening and the closing of streets; if the street opening is not closed within thirty (30) days the permit charge will be charged on a daily basis until Street is properly closed. Seconded by Mr. Graham. All in favor, motion carried.

STREET COMMITTEE REPORT

Mr. Danyluk had nothing new to report.

ADMNS. & PERSONNEL COMMITTEE

Mr. Krupa would like to hold until the end of the meeting, will need to go into an executive session.

POLICE COMMITTEE

Mayor Sloat reported that last month the police department discussed the need for more monies from participating Borough's for the 2005 budget. Preliminary numbers are being worked on; the increase is due to health care, workers compensation and liability insurance. This will be discussed further at tomorrow's (Sept. 21<sup>st</sup>) police meeting.

RECYCLING COMMITTEE

Mr. Kory noted the monthly recap chart was received and is in line with last year. Ms. Spak to change the graph; should not reflect total until year end. Mr. Strittmatter mentioned a resident's request to replace the gravel/stone underneath the recycling trailer; Mr. Bosley will be taking care of. Mr. Strittmatter suggested that we add up to the recycling trailer and inside the shed area to the 2005 paving.

INSURANCE COMMITTEE

Mr. Rodgers has nothing new to report.

BUDGET COMMITTEE

Mr. Strittmatter has scheduled a budget committee meeting for October 19<sup>th</sup> at 7:30 PM. All committees should gather their information and forward to Ms. Spak; Mr. Bosley and Mr. Danyluk to schedule walk thru of streets; Ms. Spak to contact the fire company for their budget information i.e. specific requests for items.

SHADE TREE REPORT

Mr. Krupa reminded Council that the newsletter will be going out; need all information by Friday, September 24<sup>th</sup>. This newsletter is more of a Borough information newsletter than a shade tree newsletter this time due to the number of new ordinances, the UCC rules, etc.

RECREATION COMMITTEE

The minutes for the August meeting were received. President Pile stated a 2003 financial audit was completed, copy on file. Mayor Sloat mentioned two of his grandchildren attended a four hour daily recreation program at the Diamond playground, they loved it. It was a very well run program.

BUILDING/GROUNDS REPORT

Mr. Kory stated that Mr. Bosley and his crew did a great job on the new pole building and the landscaping around building; looks very nice. There are two yellow trailers sitting in area, Mr. Bosley will contact

lawn care businesses and see if someone would want them; a resolution will need to be done at that time.

**COG REPORT**

President Pile will be attending the October meeting; he will mention that the sewer line video camera should be housed at Southmont. The camera is now being used by Ebensburg. The eight (8) joint owner municipalities are: Ebensburg, Ferndale, Lower Yoder, Paint, Scalp Level, Southmont, Stonycreek and Summerhill.

**GRANDVIEW COMMITTEE**

Mr. Kory has nothing new to report. Solicitor Lovette will look into the Grandview Cemetery/Parking lot agreement pertaining to the 30% due to Borough, County and School District for taxes.

**GREATER JOHNSTOWN WATER AUTHORITY**

The minutes from the September 3, 2004 meeting were received. Mr. Graham made a motion to nominate Mr. Pinizzotto as an At-Large Member for the City of Johnstown. Seconded by Mr. Danyluk. All in favor, motion carried. Ms. Spak will send a letter to Lou Soulcheck updating him of nomination. Mr. Graham mentioned he would like to recognize Mr. William Carstensen for his years of service as a member of the Water Authority, member since beginning 1963 (41 years). The new Water Authority building is progressing on schedule; will be ready for new management February 17<sup>th</sup>. Ms. Spak will remind Fire Chief Borosky that a list of all fire hydrants that need repaired/or sit too low should be turned into Mr. Graham.

**Lower State Street Committee**

LTAP, Mark Hood, presentation went very well, very informative and well prepared. Mr. Graham has received the instructions/guidelines for study information on tracking vehicle speed, volume, etc. Mr. Bosley will be kept informed of when there will be a Lower State Street meeting. Solicitor Lovette will check if an ordinance change is needed for the removal of "except right turn" from stop sign at Olive. Mr. Bosley will check the width of lower State Street and then will check with PennDot to see if 7 ft. or 8 ft. from curb for parking is allowed. Mr. Bosley will contact Kennedy Line Painting for painting of lines on State and crosswalk for rollerblade rink area.

**MAYOR'S REPORT**

Mayor Sloat's written incident report on the EOC warning of heavy rains (hurricane Ivan) to fall on Friday, September 17<sup>th</sup> and the Borough's handling of the same, was received. During the heavy rains Southmont Borough had branches down on the easy grade and at Bluff and a tree at Orchard and Gardner fell over power line pole; no reports of basement flooding. Mayor Sloat's observations were discussed. Mr. Bosley will look into getting spotlights attached to Borough trucks; Ms. Spak will draft a procedure to follow during Emergency Operational Center warnings. Mayor Sloat will be attending an EOC training seminar in Ebensburg on November 6<sup>th</sup>.

**SOLICITOR'S REPORT**

Mr. Rodgers made a motion to approve Ordinance #448 Animal Nuisance and Ordinance #449 Excessive Noise. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Graham made a motion to advertise Ordinance #450 regulating the use of skateboard, bicycle and scooters after wording change is made. Seconded by Mr. Krupa. All in favor, motion carried. Mr. Rodgers made a motion to advertise Ordinance #451 eliminating the position of elected auditor. Seconded by Mr. Graham. All in favor, motion carried.

**MANAGER'S REPORT**

Mr. Rodgers made a motion to accept the Manager's Report. Mr. Danyluk seconded. All in favor, motion carried. Mr. Rodgers made a motion to approve Ms. Spak going to GASB 34 Advanced training, if auditor, Kris Cramer, or Ms. Spak feel it is needed. Seconded by Mr. Danyluk. All in favor, motion carried. Mr. Rodgers made a motion to approve Mrs. Magistro to attend Pennsylvania State Tax Collectors Association Convention October 15<sup>th</sup>, registration cost of seventy dollars (\$70). Seconded by Mr. Graham. All in favor, motion carried. The Street Light repair list was updated. Ms. Spak will be attending the GIS meeting scheduled for Thursday, October 7<sup>th</sup> at 10:00 a.m. Ms. Spak updated Council on changing/ordering of Southmont Borough letterhead.

**TREASURER'S REPORT**

Mr. Rodgers made a motion to approve the August's Treasurer Report in the amount of \$376,558.46. Seconded by Mr. Kory. All in favor, motion carried.

**TAX COLLECTOR'S REPORT**

Mr. Rodgers noted that we received the July Tax Collector's report with Real Estate revenues at \$14,593.48 and the revised August Tax Collector's report with Real Estate revenues at \$3,486.71. Seconded by Mr. Kory. All in favor, motion carried.

**PAYMENT OF BILLS**

Mr. Strittmatter made a motion to approve payment of bills in the amount of \$36,142.51 adding Tom & Bob's Tree Service invoice in the amount of \$1,475. Seconded by Mr. Krupa. Roll Call: Mr. Rodgers, Mr. Graham, Mr. Kory, Mr. Danyluk, Mr. Strittmatter, Mr. Krupa and Mr. Pile all in favor, opposed none.

**OLD BUSINESS**

President Pile asked to remove Job Descriptions from "Tickler List" and add paint fire co. shed and 2005 paving recycling trailer area to the "Tickler List". On the retirement proposal a committee meeting is scheduled for October 5<sup>th</sup>; the only item on agenda is retirement presentation from MRT. Also, add William Carstensen for Recognition Luncheon with Neil Quinn. Mr. Danyluk made a motion to approve anyone who would like to attend the Pennsylvania State Association of Boroughs Fall Leadership Conference scheduled for November 5<sup>th</sup> thru November 7<sup>th</sup> be

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allowed to attend; please inform Ms. Spak by October 8<sup>th</sup> of your intentions. Seconded by Mr. Rodgers. All in favor, motion carried.

NEW BUSINESS

Mr. Graham mentioned that a lot of residents walk their dogs at empty lot at end of State Street; Ms. Cruz, owner of lot, would like to put up sign to show where they cannot walk dogs and to remind owners to clean up after pets. Mr. Bosley will give Ms. Cruz an example and cost of sign. Ms. Spak will get with Fire Chief Borosky and see about billing Mr. David Price, 204 Gardner St., for Borough time for tree that fell during rains of September 17<sup>th</sup>.

At 9:00 p.m. an Executive Session was called. At 9:10 p.m. Council reconvened, discussed Personnel issues.

ADMNS. & PERSONNEL COMMITTEE

Mr. Krupa made a motion to approve the termination of David Weir. Seconded by Mr. Graham. All in favor, motion carried. Filling of position will be discussed at a Committee Meeting. Mr. Krupa made a motion to accept Jill Magistro's six (6) month evaluation with a twenty-five cent (.25) increase effective October 1<sup>st</sup> hourly wage will be seven dollars (\$7.00) per hour. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Krupa made a motion to accept the Job Descriptions as submitted. Seconded by Mr. Rodgers. All in favor, motion carried. Mr. Krupa made a motion to approve the grievance form created by Ms. Spak. Seconded by Mr. Danyluk. All in favor, motion carried. Ms. Spak will send Mr. Miller a letter concerning Council approval of the Southmont grievance form. Ms. Spak will make changes to the Full Time Sick, Vacation, Personal and Floating Holiday spreadsheet. There was discussion on the contracting out of the grass cutting (all the rain this spring and summer); Borough is saving by contracting out. The employees daily job/time allocation database was discussed; this database will eliminate the manual calendar entries Mr. Bosley was performing. The database is less time consuming and it's easier to access the information. The information is kept in manual in office and will be brought to all Council Meetings.

There being no further business, a motion was made by Mr. Rodgers for adjournment of the September 20, 2004 meeting at 9:30 p.m. Seconded by Mr. Strittmatter. All in favor, motion carried.

Respectfully submitted,

*Loretta Spak*, Borough Manager

9/24/2004 8:13 AM